

AMENDED

No 43789

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office... MAY 27 1981
Returned to applicant for correction... JUL 24 1981
Corrected application filed... SEP 28 1981
Map filed... SEP 28 1981

The applicant... Desert Marina Incorporated
3589 Buena Vista Drive, of Las Vegas, Nevada 89121
hereby makeS application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) July 13, 1981 - Carson City, Nevada

1. The source of the proposed appropriation is an underground source
Name of stream, lake or other source.

2. The amount of water applied for is one second foot second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet 3.07 acre feet. acre-feet

3. The water to be used for Quasi-Municipal purposes
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 12. Remarks") See Item No. 12 Remarks

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: within the NE 1/4 SW 1/4 of Section 28, T.32S., R.66E., M.D.B.&M., Clark County, Nevada, or at a point from which the Southwest corner of said Section 28 bears South 49°17'10" West a distance of 2830 feet.

6. Place of use. Portion of the NE 1/4 SW 1/4, Portion SE 1/4 SW 1/4 of Section 28, T.32S., R.66E., M.D.B.&M., Clark County, Nevada, and a portion of NE 1/4 NW 1/4 (Government Lot 3) of Section 33, T.32S., R.66E., M.D.B.&M., Clark County Nevada.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, 1 million gallon water storage tank, five sprinkler lines and domestic water system.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$500,000.00

10. Estimated time required to construct works Two Years
If well completed, describe works.

11. Estimated time required to complete the application to beneficial use Five Years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water shall be used for a 1000 room hotel, 40,000 square foot Casino, 100 room employee apartments, 2 swimming pools, 450 space recreation vehicle park and 20,000 square foot service area.

By s/Richard J. Baughman
Signature, applicant or agent
Richard J. Baughman
2325 W. Charleston Blvd.
Las Vegas, NV 89102

Compared bl/ cs bt/ja

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 71.0 million gallons annually

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before August 2, 1983

Proof of completion of work shall be filed before September 2, 1983

Application of water to beneficial use shall be made on or before August 2, 1988

Proof of the application of water to beneficial use shall be filed on or before September 2, 1988

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed IN TESTIMONY WHEREOF, I PETER G. MORROS
Completion of work filed State Engineer of Nevada, have hereunto set my hand and the seal
Proof of beneficial use filed my office, this 2nd day of AUGUST
Cultural map filed

Certificate No. Issued A.D. 1982
Cancelled NOV 08 1985 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
State Engineer

CANCELLED
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
MAY 06 1996
BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
ENGINEER

can be recorded 10/30/80 see below #1753